

**COMPLAINT INVESTIGATION SUMMARY**

<b>COMPLAINT NUMBER:</b>	<b>1646.00</b>
<b>COMPLAINT INVESTIGATOR:</b>	<b>Steve Starbuck</b>
<b>DATE OF COMPLAINT:</b>	<b>November 1, 2000</b>
<b>DATE OF REPORT:</b>	<b>November 9, 2000</b>
<b>REQUEST FOR RECONSIDERATION:</b>	<b>no</b>
<b>DATE OF CLOSURE:</b>	<b>December 19, 2000</b>

**COMPLAINT ISSUES:**

Whether the Lake Station Community Schools and the Northwest Indiana Special Education Cooperative violated:

511 IAC 7-25-5(c) with regard to the school's alleged failure to take one of the required actions upon the parent's request for an independent educational evaluation at public expense.

**FINDINGS OF FACT:**

1. During a telephone conversation on November 3, 2000, the complainant stated the student has been evaluated on two occasions for special education, but has not been determined eligible for such services. The complainant stated she is of the opinion that the student is eligible for special education, but at the time the case conference committee meetings convened to discuss the student's initial eligibility for special education, she agreed that the student was ineligible. The complainant states she is of the opinion that the testing completed by the school accurately reflects her child's academic capabilities. According to the complainant, she has never asked school personnel to conduct an independent educational evaluation for the student at public expense. Although the complainant was advised of the limitations of the complaint investigation process, she stated she did not want to withdraw her complaint. Procedures for requesting mediation and/or a due process hearing were explained to the complainant. The complainant stated she planned to submit a request to the Division for a due process hearing to contest the student's eligibility for special education.

**CONCLUSIONS:**

1. Finding of Fact #1 indicates the complainant never requested the school to complete an independent educational evaluation for the student at public expense. Therefore, no violation of 511 IAC 7-25-5(c) is found.

**The Department of Education, Division of Special Education, requires no corrective action based on the Findings of Fact and Conclusions listed above.**

